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- a) determining a dosage, said dosage comprising 5-15 mCi ^{90}Y -conjugated anti-Tac in a total amount of 2-20 mg anti-Tac, wherein the dose is 2 mg total anti-Tac if said patient has sIL-2R levels of less than 2,000 units/ml, the dose is 5 mg total anti-Tac if said patient has sIL-2R levels of 2,000 - 10,000 units/ml, the dose is 10 mg of total anti-Tac if the patient has sIL-2R levels of 10,000 - 50,000 units/ml, and the dose is 20 mg of total anti-Tac if said patient has sIL-2R levels of greater than 50,000 units/ml; and
- b) administering said dosage to said patient to eliminate disease-associated Tac-positive cells.

REMARKS

Applicant respectfully requests favorable reconsideration in view of the herewith presented amendment and remarks. Applicant gratefully acknowledges the telephone interview on March 18, 1999 with the Examiner, Examiner Chan and Dr. Richard Schwartz and the undersigned. In this interview, it was agreed that a claim as set forth above would constitute patentable subject matter.

Claim 27 is pending in the instant patent application.

As agreed during the telephone interview, none of the previously cited prior art teaches or suggests the method as presently claimed. Thus, in view of the new claim, applicant believes the previous rejections under 35 U.S.C §§102 and 103 are rendered moot.

Also enclosed, as requested by the Examiner, is a declaration from the inventor stating that the claimed subject matter was not published or publicly disclosed on or before the filing date of the present application..

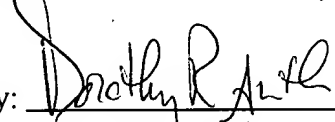
No additional fee is believed to be necessary.

The Commissioner is hereby authorized to charge any additional fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4003US3.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition and for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 2026-4003US3. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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Dated: March 23, 1999

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